

1 JAMES B. GILPIN, Bar No. 151466
James.Gilpin@bbklaw.com
2 MATTHEW L. GREEN, Bar No. 227904
Matthew.Green@bbklaw.com
3 BEST BEST & KRIEGER LLP
655 W. Broadway, 15th Floor
4 San Diego, CA 92101
Telephone: (619) 525-1300
5 Facsimile: (619) 233-6118

6 Attorneys for Defendants
SUPERIOR COURT OF CALIFORNIA,
7 COUNTY OF SAN DIEGO (erroneously
sued as SUPERIOR COURT OF SAN
8 DIEGO COUNTY); HON. ROBERT J.
TRENTACOSTA, Presiding Judge of the
9 Superior Court (erroneously sued as Robert
J. Trentacosta); MICHAEL M. RODDY,
10 Executive Officer of the Superior Court;
HON. LISA SCHALL, Judge of the Superior
11 Court; HON. LORNA A. ALKSNE, Judge of
the Superior Court; HON. CHRISTINE K.
12 GOLDSMITH, Judge of the Superior Court;
HON. JEANNIE LOWE, Commissioner of
13 the Superior Court (Ret.); HON. WILLIAM
H. McADAM, JR., Judge of the Superior
14 Court; HON. EDLENE C. McKENZIE,
Commissioner of the Superior Court; and
15 HON. JOEL R. WOHLFEIL, Judge of the
Superior Court

16 UNITED STATES DISTRICT COURT
17 SOUTHERN DISTRICT OF CALIFORNIA
18

19 CALIFORNIA COALITION FOR
20 FAMILIES AND CHILDREN, et al.,

21 Plaintiffs,

22 v.

23 SAN DIEGO COUNTY BAR
24 ASSOCIATION, et al.,

25 Defendants.
26
27
28

Case No. 13-cv-1944-CAB (BLM)
Judge: Hon. Cathy Ann Bencivengo

DECLARATION OF KRISTINE P.
NESTHUS IN SUPPORT OF MOTION
TO DISMISS COMPLAINT

Date: November 22, 2013
Time: 3:30 p.m.
Courtroom: 4C

**[NO ORAL ARGUMENT UNLESS
REQUESTED BY COURT]**

Complaint Filed: August 20, 2013

1 I, Kristine P. Nesthus, declare as follows:

2 1. I have personal knowledge of the following facts and if called to
3 testify, I would and could testify competently thereto.

4 2. I am an attorney at law duly licensed to practice before all courts in the
5 State of California and have been so since 1985. I am the Director of Legal
6 Services and Court Counsel for the Superior Court of California, County of San
7 Diego.

8 3. On August 23, 2013, I learned of the filing of the above-referenced
9 action, that the Complaint contained confidential information in violation of
10 Section 1(h)(5) of the Court's General Order 550, including, but not limited to, the
11 residential addresses of four judicial officers, and that the Complaint was available
12 for public viewing on PACER and multiple websites on the internet. That same
13 day, I attempted to contact by telephone the individuals listed on the title page of
14 the Complaint, Colbern C. Stuart and Dean Browning Webb, to demand that the
15 confidential information immediately be removed from the various websites and
16 that steps immediately be taken to remove the information from PACER. When I
17 was unable to reach either Mr. Stuart or Mr. Webb by telephone, I faxed and e-
18 mailed both Mr. Stuart and Mr. Webb letters under California Government Code
19 section 6254.21, seeking immediate removal of the address information from the
20 internet.

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

LAW OFFICES OF
BEST BEST & KRIEGER LLP
655 WEST BROADWAY, 15TH FLOOR
SAN DIEGO, CA 92101

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the court's CM-ECF system per Federal Rule of Civil Procedure 5(b)(2)(E). Any other counsel of record will be served by facsimile transmission and/or first class mail this 30th day of September 2013.

/s/ Matthew L. Green

LAW OFFICES OF
BEST BEST & KRIEGER LLP
655 WEST BROADWAY, 15TH FLOOR
SAN DIEGO, CALIFORNIA 92101

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28